IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL No. 392 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/12/2004 in WP No. 6778 OF 2000 on the file of the High Court.)

Between:

B.Lakshmi Narayana, s/o B.Pedda Hanumanthu,
r/o R.S.Rangapuram Village, Bethamcherla Mandal, Kurnool.

..... APPELLANT

AND

1.The Chief Engineer, Electricity, A.P.Transco, Cuddapah Zone, Cuddapah District.
2.The Superintending Engineer (Assessments), A.P.Transco, Cuddapah.
3. The Assistant Divisional Engineer (Operations), A.P.Transco, Dhone, Kurnool District.
4. The Assistant Accounts Officer (ERO) A.P.Transco, Dhone, Kurnool District.

.....RESPONDENTS

Counsel for the Appellant: Mr.VINAY KAMISETTY

Counsel for the Respondents: Mr. M.SREERAMULU REDDY

The Court made the following :

ORAL JUDGMENT:

(per Honourable Sri Devinder Gupta, the Chief Justice)

The appellant in the writ petition questioned the order of the second respondent, by which, the assessment was revised after coming to the conclusion that the appellant as a consumer of electricity had committed pilferage and was liable to compensate the loss sustained by the A.P.Transco. The said order was passed after notice to the appellant. The appellate authority heard the appeal and did not find any valid ground to interfere with the order of the 2nd respondent, who revised the assessed amount from Rs.6,69,834/- to 2,00,834/-, and, thus, dismissed the appeal. Learned Single Judge, after hearing the learned counsel for the appellant, came to the conclusion that there is no illegality in recording the finding against the appellant. However, taking into consideration the fact that inspection was made on 12.8.1999 and considerable time had lapsed, he, on his own, made reduction of 10% from the amount as assessed by the first respondent. The Writ Appeal is now filed against the said order on the ground that learned Single Judge had in similar cases granted reduction to the extent of 30%.

Having heard learned counsel for the appellant, we do not find any justification in making interference in this Appeal against the order of learned Single Judge, who, in fact, has gone beyond his jurisdiction in granting reduction of 10% after coming to the conclusion that there is no illegality in the orders passed by the respondent-Transco. We are not disturbing the said order, since there is no appeal by the A.P. Transco. Therefore, finding no force in the Appeal, we dismiss the same. No costs.

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DEVINDER GUPTA, C.J.

24.3.2005.

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B.SESHASAYANA REDDY, J.

VR.

To

1.The Chief Engineer, Electricity, A.P.Transco, Cuddapah Zone, Cuddapah District.
2.The Superintending Engineer (Assessments), A.P.Transco, Cuddapah.
3. The Assistant Divisional Engineer (Operations), A.P.Transco, Dhone, Kurnool District.
4. The Assistant Accounts Officer (ERO) A.P.Transco, Dhone, Kurnool District.

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